



08-05-02

RCE/2700

PTO/SB/30 (08/00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|-------------------------------|-------------------------|
| <i>Application Number</i> | 09/217,117 |
| <i>Filing Date</i> | December 21, 1998 |
| <i>First Named Inventor</i> | Yasutomo Nishina et al. |
| <i>Group Art Unit</i> | 2173 |
| <i>Examiner Name</i> | T. Hailu |
| <i>Attorney Docket Number</i> | 450100-4033.1 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under C.F.R. § 1.114.

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on June 11, 2002
(Any unentered amendment(s) referred to above will be entered)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. Other
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other

08/06/2002 TGEDAMU1 00000094 09217117

01 FC:179

740.00 OP

*RECEIVED
AUG 07 2002
Technology Center 2100*

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. Other

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. Checks in the amount of \$740.00 and \$400.00 are enclosed for the following:
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. § 1.17)
 - iii. Other
- b. The Director is authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320.
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|----------------|-----------------------------------|----------------|
| Name (Print/Type) | DENNIS M. SMID | Registration No. (Attorney/Agent) | 34,930 |
| Signature | | Date | August 2, 2002 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | |
|--------------------------------------|---------------|
| Name (Print/Type) | |
| Signature | |
| "Express Mail" mailing label number: | EV142957532US |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

00080412